sending the selection order of audio and video information items to ~~the respective one of the television sets via~~ the television cable distribution network; and

sending information relating to user identification and selection cost to a billing system.

21. (Amended) A method according to claim 20, wherein the selecting step is practiced by actuating keys on a keyboard, the audiovisual reproduction [jukebox] unit interpreting the actuated keys as cursor movements.

REMARKS

In view of the amendments and remarks herein, favorable reconsideration and allowance or all claims as presently presented are respectfully requested. By this Amendment, claims 11-12, 14-18 and 20-21 have been amended. Claims 11-22 are pending for further examination.

First, Applicant notes that the Examiner has objected to the substitute specification filed in this application in view of the fact that no statement was provided by Applicant stating that no new matter was included in the substitute specification. Applicant notes that a substitute specification and marked-up copy of the specification showing the amendments have been filed. Applicant now

expressly states that the substitute specification previously filed contains no new matter. Thus, withdrawal of the objection to the substitute specification is respectfully requested.

Claims 11, 15, 16, 18 and 20 have been rejected under 35 USC 103(a) as allegedly being obvious over Linfoot in view of Fenwick. For at least the reasons set forth below, Applicant respectfully submits that the amended claims herein are not rendered obvious by the cited references. Thus, reconsideration and withdrawal of the rejections under Section 103 are respectfully requested.

Claim 11 has been amended herein to more clearly distinguish Linfoot and Fenwick by expressly indicating that the audio and video information are stored in electronic (computer) memory. the term computer or electronic memory as used in connection with this invention means a recordable rewrittable magnetic storage like a floppy disk, a hard drive, or a typical electronic semiconductor memory like RAM or EEPROM.

Linfoot discloses a mechanical juke-box wherein the song to be selected is recorded on tapes or audio compact discs which are stored in a control unit (page 5, 3rd paragraph). The apparatus comprises a computer with control for a screen, such as a TV screen, used to display information allowing a user to select a song

recorded on the tapes or CD. Thus, the audio information is obviously not stored on electronic memory but are recorded on conventional audio supports.

Moreover, Applicant cannot find any disclosure in Linfoot of a billing device. Further, Linfoot disclosed that the selection of a recording is made one by one (page 8 first paragraph). Thus, when a selection is made, a user cannot select another recording before the ending of the first recording. On the contrary, the interacting remote unit allows a user to select at least one audio and video reproduction.

Fenwick discloses a video selection and distribution system. This system comprises a plurality of video monitors connected to a coaxial cable network. These video monitors are connected by a group of up to 32 video monitors. A distribution system is also connected independently to each group, and comprises a plurality of video sources, which are managed by a controller. The selection of a video source is made by a remote control located in the same room with an associated video monitor. The remote control is likewise connected to the coaxial cable network to send video request from a user to a controller.

As disclosed column 4 lines 11 to 17, each video monitor has a tuner to receive video signal in a distinct one of the frequency band of the cable network. This means that the distribution system uses up to 32 frequencies band of the cable

network. Thus, for increasing the number of video monitors a new group must be added. The adding of this new group of video monitor necessitate at least physical modifications, even minors one, of the distribution system. On the contrary, the jukebox unit of the present invention communicates with the cable network via a unique dedicated channel corresponding to a unique frequency band. This characteristic minimizes the channels used for the system distributing selections of audio and video information. Further, the addition of a new television set to the system is made just by connecting the new television set to the cable network, and to associate a remote interactive unit to this new television set. There is no required physical modification of the audiovisual reproduction unit.

Fenwick discloses that the selection of a movie is made by a wand keyboard which sends infrared signals to the remote controller (column 8, line 31 to column 9 line 5). For each wand signal the remote controller sends a request to the distributing system. When receiving this signal, the distributing system triggers the display of menu on the video monitor associated to the remote controller, which sent the request. These menus assist the user in selecting a movie. As disclosed column 10 lines 3 to 13, the submenu, which contains the available movie, is updated periodically. In fact, when a movie is selected, it becomes unavailable, thus it does not appear on the submenu and could not be selected.

This means several users could not select a same movie at the same time, because if one selects this movie, it becomes unavailable for the others. Further, as disclosed column 9 lines 13 to 37 a user could not select more than one movie. In fact, when a movie is selected, it begins to play. If a new movie is selected the first one is cancelled. On the contrary, the remote unit of the present invention provides the selection of at least one audio and video information stored in the audiovisual reproduction unit. Further any of the audio or video items could be selected even if they have been selected by another user. In fact, in the present invention, the user's selections are put in a queue and are then played successively by the audiovisual reproduction unit. Thus, different users could select a same item at the same time.

Applicant respectfully disagrees with the Examiner's interpretation of the term "storing" used in the claim 11. Fenwick discloses that the video sources are video cassette players. Thus, the movies are recorded on cassettes then read by a video cassette player. Thus, the video information is not stored but, instead, is recorded on videocassette.

As explained above the "memory" of Linfoot consists of convention musical recording devices, such as CD, tapes and records. Thus, the audio information are

not stored in the manner required by he amended claims herein, but, instead, are recorded on CD, tapes and records.

The use of the term "storing" clearly means that the audio and video information are saved on an electronic (computer) memory included in the audio reproduction unit. As explained above, Linfoot discloses the audio information is recorded on conventional devices like CD, tapes, and records. None of these audio-visual supports are an electronic memory as required by the instant claims. In the same way, the videocassettes disclosed in Fenwick are not an electronic memory.

The Examiner asserts that the combination Linfoot and Fenwick allows a user at a remote location to listen to music and to view video from the jukebox through a cable transmission. First, Applicant respectfully submits that the combination Linfoot and Fenwick fails to disclose an audiovisual reproduction system wherein the audio and visual information are stored on electronic memory.

Further, in accordance with the Examiner's point of view, the cable network disclosed in Fenwick improves Linfoot. However, contrary to the assertion of the Examiner, this improvement does not allow viewing video, because the device disclosed in Linfoot is only an audio reproduction device. On the contrary, the

present invention is a system for distributing and selecting audio and video information.

Further, the combination Linfoot and Fenwick fails to disclose a remote unit which allows successive selecting of more than one audio or visual piece.

Thus, in view of the above observations Linfoot and Fenwick, even if they were properly combinable, the combination thereof fails to disclose or suggest all the characteristics of the amended claim 11. As a result, claim 11 is not rendered obvious by the cited references. Thus, reconsideration and withdrawal of the rejection of claim 11 and all claims that depend therefrom are respectfully requested.

The Examiner also asserts that Linfoot in view of Fenwick renders obvious claim 15. However, claim 15 is dependent on claim 11 and is therefore allowable for the same reasons set forth with respect to amended claim 11. Moreover, claim 15 recites the component of the audiovisual reproduction unit. Linfoot discloses a mechanical jukebox comprising a computer linked to a memory. This memory is used only to store information relating to the recording. Linfoot does not disclose that this memory is used to store the plurality of audio and video reproduction information items. The Examiner asserts that information relating to a recording is displayed during the playing of the recording. However, the display of the

information relating to a recording occurs during the selection of the recording. Thus, this information is first displayed, then the corresponding song is played (p age 8, first paragraph). Consequently, these operations do not occur simultaneously but sequentially. In addition, Linfoot fails to disclose the microprocessor operating a multitasking operating system as claimed.

The Examiner asserts that Linfoot discloses memory. However, the memory of Linfoot consists of conventional musical recordings means such as CD, tapes and records. In the present invention, it is clear that the memory consists of computer memory (description page 5 line 14 to page 6 line 13). Thus, as already explained, Linfoot does not disclose or suggest that the musical recordings and the information representative of the cover of the album are stored in the same local bulk memory of a computer. In fact, the computer used in Linfoot only stores the information representative of the cover and manages the interfaces with the display, the selection means, the digital scanner, and the reproduction unit. Under no circumstances, does the computer of Linfoot manage a local bulk memory wherein a library of recordings and a library of graphics containing images corresponding to album covers of the recordings are stored.

The claims 16, 18 and 20 incorporates the subject matter of allowable claim 11, thus the claims 16, 18 and 20 are allowable at least by virtue of its dependency on an allowable independent claim.

Claims 12-16, 17, 19, 21 and 22 are rejected as being unpatentable in view of the combination of Linfoot and Fenwick and the other documents including Thomson, Mcally, and Frank. These claims incorporates the subject matter of allowable claim 11, thus claims 16, 18 and 20 are allowable at least by virtue of their dependency on the allowable independent claim. It is also noted that Applicant has previously presented detailed arguments traversing the pertinence of Thomson, McCally, and Frank. Thus, these previous argument are incorporated herein by reference.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims now clearly and patentably distinguish the cited references and are in condition for allowance. Thus, withdrawal of the rejections and passage of the case to issuance at an early date are earnestly solicited.

Should the Examiner have any questions regarding this application, or deem that further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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